Verdict Sheet
Ct. Ex 9
6/20/19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-- X
                                  :

SECURITIES AND EXCHANGE
COMMISSION,   :

                                  :   1:17-cv-139-GHW

                                  :

                      Plaintiff,   :

      -against-   :

                                    :

DONALD J. FOWLER,   :

                                    :

                      Defendant.   :

-- X

VERDICT SHEET

Please indicate each of your verdicts with a check mark (✓).

1. Did the Defendant with scienter employ any device, scheme, or artifice to defraud, or engage in any act, practice, or course of business which operated or would operate as a fraud or deceit upon any person, in violation of **Section 10(b)** of the Securities Exchange Act (the "Exchange Act"), **Exchange Act Rules 10b-5(a)** or **10b-5(c)**, or **Section 17(a)(1)** of the Securities Act?

      Yes   ✓   No   _____

2. Did the Defendant with scienter make any untrue statement of a material fact, or any omission of a material fact, in violation of **Section 10(b)** of the Exchange Act and **Exchange Act Rule 10b-5(b)**?

      Yes   ✓   No   _____

3. Did the Defendant negligently obtain money or property by means of any untrue statement of a material fact, or by any omission of a material fact, in violation of **Section 17(a)(2)** of the Securities Act?

      Yes   ✓   No   _____

4. Did the Defendant negligently engage in any transaction, practice, or course of business which operated or would operate as a fraud or deceit upon the purchaser of a security, in violation of **Section 17(a)(3)** of the Securities Act?

    Yes ✓_____   No _____

5. Did the Defendant with scienter recommend an investment strategy with no reasonable basis to believe the strategy was suitable for any customer, in violation of **Section 10(b)** of the Exchange Act?

    Yes ✓_____   No _____

    If Yes: **Do not answer** question 6. If No: **Answer** question 6.

6. Did the Defendant with scienter recommend an investment strategy to any of the following customers with no reasonable basis to believe the strategy was suitable for that customer, in violation of **Section 10(b)** of the Exchange Act?

    Answer "Yes" or "No" as to each customer.

Customer	Yes	No
Kenneth J. Bayer:	_____	_____
Lane Clizbe:	_____	_____
Louis A. Dellorfano:	_____	_____
G. Allen Deuschle:	_____	_____
Steve B. Dimercurio:	_____	_____
Jeffrey Funk:	_____	_____
Bob Krueger:	_____	_____
Clay B. Miller:	_____	_____
Bobby Pilkington:	_____	_____
Al Riedstra:	_____	_____
Peter Skrna:	_____	_____
Robert Weathers:	_____	_____
Gary J. Wendorff:	_____	_____
Donald Womeldorph:	_____	_____

7. Did the Defendant with scienter make any unauthorized trade in the account of any of the following customers, in violation of **Section 10(b)** of the Exchange Act?

Answer "Yes" or "No" as to each customer.

Customer	Yes	No
Kenneth J. Bayer:	✓	
Lane Clizbe:	✓	
Louis A. Dellorfano:	✓	
G. Allen Deuschle:	✓	
Steve B. Dimercurio:	✓	
Jeffrey Funk:	✓	
Bob Krueger:	✓	
Clay B. Miller:		✓
Al Riedstra:	✓	
Peter Skrna:	✓	
Robert Weathers:	✓	
Gary J. Wendorff:	✓	
Donald Womeldorph:	✓	

SO SAY WE ALL

██████████████

Signature of Foreperson

██████████████

Name of Foreperson

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